

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 30, 2007

D051284 People v. Arenas

The petition is denied.

D050230 People v. Leblanc

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D048133 People v. Ranger Insurance Company

The order denying Ranger's motion to set aside forfeiture of its \$25,000 bail bond is reversed, and the trial court is directed to vacate the forfeiture and exonerate the undertaking. Nares, Acting P.J.; We Concur: Aaron, J., Irion, J.

D050748 People v. Macharique

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is DISMISSED and the remittitur is ordered to issue immediately.

D050650 People v. Boff

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D050214 In re McKee on Habeas Corpus

The petition and applications are denied.

**D051133 Kimberly I. v. Superior Court of San Diego County/San Diego County
Health and Human Services Agency**

The attorney for petitioner Kimberly I. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D048113 People v. Fullbright

Pursuant to California Rules of Court, rule 8.268, subdivision (a)(1) the court, on its own motion, grants rehearing to reevaluate section V of the opinion in this matter in light of California Supreme Court's recent decision in *People v. Black* (July 19, 2007, 126182)___Cal.4th___(Black II).

The court requests that counsel provide supplemental briefing on the impact of *Black II* on section V of the opinion in this matter no later than 4:00 p.m. on Tuesday August 7, 2007.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 30, 2007 (Continued)

D049918 People v. Pratts

The judgment is modified by striking the \$400 restitution fine and reducing the \$400 suspended parole revocation fine to \$200. The \$200 restitution fine remains in force. As so modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment and to forward it to the Department of Corrections and Rehabilitation. Nares, Acting P.J.; We Concur: Haller, J., Irion, J.

D050326 In re J.P., Juveniles etc.

The judgments and orders are affirmed. Nares, J.; We Concur: McConnell, P.J., Aaron, J.

D050068 People v. West

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., Irion, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 31, 2007

D041969 Pearle Vision, Inc. et al. v. People

The judgment dismissing Pearle and Pearle Vision Care's cross-complaint is vacated pursuant to the parties' stipulation. Upon remand, the superior court is directed to enter an order in accordance with this opinion. The parties shall bear their own costs on appeal. Nares, J.; We Concur: Huffman, Acting P.J., Aaron, J.

D051089 In re Shaffer on Habeas Corpus

The petition is denied.

D050739 In re Rodriguez on Habeas Corpus

The petition is denied.

D050863 In re Marsh III on Habeas Corpus

The petition is denied.

D051134 In re Ethridge on Habeas Corpus

The petition is denied.

D051273 In re McDaniel on Habeas Corpus

The petition is denied.

D050814 In re Williams on Habeas Corpus

The petition is denied.

D050813 In re Equels on Habeas Corpus

The petition is denied.

D048917 People v. Hill

The judgment is affirmed. Aaron, J.; We Concur: Haller, Acting P.J., McIntyre, J.

D050722 People v. Rivera

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is DISMISSED and the remittitur is ordered to issue immediately.

D051202 In re Maguire on Habeas Corpus

The petition is denied.

D050892 In re Teahan on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 31, 2007 (Continued)

D050781 Korea Water Resources Corporation v. The Superior Court of San Diego County/Lee

The petition is denied.

D050787 In re Taylor on Habeas Corpus

The petition is denied.

D050678 In re Smith on Habeas Corpus

The petition is denied.

D050877 In re Moran on Habeas Corpus

The petition is denied.

D051088 In re Cuevas on Habeas Corpus

The petition is denied.

D051118 In re Swanson on Habeas Corpus

The petition is denied.

D051188 Davis et al. v. Superior Court of San Diego County/Friedel

The petition is denied.

D049051 Valenzuela v. California State Personnel Board/Department of Corrections and Rehabilitation

The opinion filed July 3, 2007 is ordered certified for publication.

D050555 People v. Delane

The judgment is affirmed. Nares, Acting P.J.; We Concur: Aaron, J., Irion, J.

D048879 Valenzuela v. City of San Diego

The request for publication of the opinion is denied.

D050067 People v. Lockhart

The sentence on the possession for sale count (count 2) is modified to stay execution of the sentence. The trial court is directed to correct the abstract of judgment to reflect the sentence on count 2 is stayed under section 654, prepare an amended abstract of judgment reflecting this modification, and forward a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed. McDonald, J.; We Concur: Nares, Acting P.J., McIntyre, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 1, 2007

D050574 In re Katrina G., a Juvenile

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D050478 In re Jaime L., a Juvenile

The order and judgment are affirmed. McDonald, J.; We Concur: Haller, Acting P.J., Aaron, J.

D047837 Friedman v. Manuel

The petition for rehearing is denied.

D049389 Jauregui et al. v. Culture of Life Family Services

The orders are affirmed. Plaintiffs are entitled to costs on appeal. McDonald, J.;
We Concur: Huffman, Acting P.J., Irion, J.

D050259 In re R.T., a Juvenile

The judgment and orders are affirmed. Aaron, J.; We Concur: O'Rourke, Acting P.J., Irion, J.

D051170 In re Yul C., a Juvenile

The attorney for petitioner Van C. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D048359 People v. Bates

The petition for rehearing is denied. The opinion dated July 3, 2007 is modified [NO CHANGE IN JUDGMENT]

D050563 People v. Clater

Appellant Bobby Dewayne Clater has personally signed an abandonment of appeal, filed by counsel on August 1, 2007. The appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 2, 2007

D046982 People v. Penaranda

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D49629 Vera v. Workers' Compensation Appeals Board/State Compensation Insurance Company

The WCAB's decision is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Aaron, J.

D049878 City of San Diego v. Workers' Compensation Appeals Board/Brooks

The decision of the WCAB is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Aaron, J.

D050987 In re Taylor on Habeas Corpus

The petition is denied.

D048576 Scripps Health v. Superior Court of San Diego County/McMeans et al.

At the request of the petitioner, the petition for writ of mandate is dismissed.

D050852 In re Blankenship on Habeas Corpus

The petition is denied.

D050030 People v. Fielder

The judgment is affirmed. McConnell, P.J.; We Concur: McDonald, J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 3, 2007

D049491 In re T.S., a Juvenile

The juvenile court order setting T.S.'s curfew is affirmed. Nares, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D050423 People v. Rice

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., Aaron, J.

D049558 Lawrence et al. v. Barona Valley Ranch Resort and Casino et al.

The opinion filed July 18, 2007 is ordered certified for publication.

D049294 Furey v. Blockbuster, Inc.

The request for publication of the opinion is denied.

**D050695 Douglass E., Jr. v. Superior Court of San Diego County/San Diego County
Health and Human Services Agency**

The petition is denied. The request for a stay of the proceedings is denied. Irion, J.;
We Concur: Haller, Acting P.J., McDonald, J.

D044695 Pointe San Diego Residential v. W.W.I. Properties, Inc.

The petition for rehearing is denied.